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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/698,844	10/31/2003	Christian Behrens	16104-012001 / 2003P00801	9310
32864 7590 12/21/2006 FISH & RICHARDSON, P.C. PO BOX 1022 MINNEAPOLIS, MN 55440-1022			EXAMINER HASSAN, RASHEDUL	
			ART UNIT 2112	PAPER NUMBER
SHORTENED STATUTORY PERIOD OF RESPONSE			MAIL DATE	DELIVERY MODE
3 MONTHS			12/21/2006	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

## Office Action Summary

Application No.

10/698,844

Applicant(s)

BEHRENS ET AL.

Examiner

Rashedul Hassan

Art Unit

2112

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>5/19/2005, 1/12/2004</u> . | 6) <input type="checkbox"/> Other: ____.  |

**DETAILED ACTION**

***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

1. Claim 2 rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 2 recites the limitation "the panel display control" in line 1. There is insufficient antecedent basis for this limitation in the claim. For the purpose of further examination, it is interpreted as "the panel selection control".

***Claim Rejections - 35 USC § 101***

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

2. Claims 10-18 are rejected as being directed to non-statutory subject matter.

Claims 10 (a computer program product), 11-13 (a computer system) and 14-18 (a repository) can reasonably be interpreted as functional descriptive materials only, without any expressed combination with an appropriate computer readable medium so as to be structurally and functionally interrelated to the medium and permit the

functionality of the descriptive materials to be realized. Therefore, the claims have been rejected for being directed to non-statutory subject matter.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Vachuska et al (US 2003/0184584 A1), hereinafter Vachuska, in view of Powers III (US 5428731), hereinafter Powers.

4. For claims 1 (a method), 10 (a computer program product containing executable instructions for carrying out the method), 11 (a computer system) and 14-15 (a repository), Vachuska discloses a software framework that accesses database objects where the functionality of the software framework comprises:

Displaying in a computer user interface (10 in Fig. 1) an object selection area (window for displaying object selection list 14 in Fig. 1) capable of presenting representations of a plurality of database objects (NavObject objects, [0029]) for selection by a user, each of the database objects being associated with one of a plurality of predetermined contexts [0032]), the user interface comprising a plurality of panels for presenting

portions of data belonging to database objects selected in the object selection area ([0031]);

Receiving an input from the user selecting a database object presented in the object selection area ([0033]); and

Displaying in the user interface a panel selection control associated with the context of the selected database object, the panel selection control providing that the user can select for display any of the panels that are relevant to the context of the selected database object (tabs 20, toolbar 24 and 26 in Fig.1; also [0033] to [0039]).

Vachuska does not teach the limitation that some of the panels are relevant to more than one of the contexts and therefore, any of the selectable panels that are relevant also to a different context can also be selected in a panel selection control associated with the different context. However, this limitation is derived from the notion of reusability of objects, which is a well-known aspect of what is commonly referred to as object oriented programming. For example, Powers teaches that objects may be used by more than one other object as demonstrated in Fig. 3 where the text object 309 is used by both panel 1 (302) and panel 2 (303). Therefore, it would have been obvious, given the general knowledge in the art at the time of the invention, for a person of ordinary skill in the art to incorporate into Vachuska's invention the re-use of a panel object among various contexts, as exemplified by Powers, for achieving the benefits of reusability when the elements of the panel do not differ among different contexts and thereby allowing selection of a panel associated with more than one context using a panel selection control associated with relevant contexts. Regarding claims 14-15, in

addition to the above missing limitations, Vachuska furthermore does not explicitly mention a repository. However, the use of a repository is considered as a necessary requirement for implementing his invention.

5. For claim 2, Vachuska teaches selecting the panel display control (interpreted as “panel selection control” for examination as mentioned before) among a plurality of panel selection controls associated with respective contexts ([0034], [0037] and [0039]).

6. For claims 3 (a method), 12 (a computer system) and 16 (a repository), Vachuska teaches generating an event associated with the context of the selected database object, wherein the panel selection control (popup and navigation facilities) is selected using the generated event ([0044]).

7. For claim 4, Vachuska implicitly teaches the limitations of the claim because these limitations are necessary conditions for selecting popups and appropriate navigation facilities using events mechanism ([0044]).

8. For claim 5, Vachuska teaches the limitations of the claim because when a second database object associated with a second context is selected, by necessity, it will generate a second event associated with this second context and this event will then be used to generate context sensitive popups and navigation controls ([0035], [0044]).

9. For claim 6, Vachuska teaches the limitation wherein the panel selection control is capable of receiving content for any of the contexts and furthermore content for the context of the selected database object ([0034]).

10. For claim 7, Vachuska teaches the limitations of the claim because when a second database object associated with a second context is selected, it will by necessity provide the panel selection control with contents of the second database object which is naturally associated with the second context since the context defines what data a particular database object should contain.

11. For claim 8, Vachuska teaches the panel selection control comprises at least two controls that the user can execute in selecting panels for display, each control being associated with at least one of the panels (tabs 20 in Fig. 1).

12. For claims 9 and 18, neither Vachuska nor Powell teaches the limitations of the claim. However, if working with employee data objects, it would have been obvious to a person of ordinary skill in the art to modify Vachuska's invention to use as context an entity selected from the group consisting of country, employer and combinations thereof in order to list the employee objects in a hierarchy based on country, employer or combinations thereof in the navigational tree panel 14. Also, the motivation could have

been to distinguish between perspectives of the similar employee type NavObject hierarchies (Vachuska, [0032]).

13. For claims 13 and 17, Vachuska does not explicitly teach the limitation of forming the panel selection controls associated with the plurality of contexts by providing content to a generic panel selection control. However, this limitation is also a well-known aspect of what is commonly referred to as object oriented programming. In object oriented programming a generic class can be instantiated into various different objects by providing different values for the attributes of the class. For example, Powers teaches how various topic objects can be created by instantiating a generic topic class (column 8, lines 10-30). Therefore, it would have been obvious, given the general knowledge in the art at the time of the invention, for a person of ordinary skill in the art to implement Vachuska's invention using this well known technique of object oriented programming in order to reduce efforts in both coding and maintenance.

14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rashedul Hassan whose telephone number is 571-272-9481. The examiner can normally be reached on M-Th 7:30AM-5PM EST and Alt Fri 7:30AM-5PM EST. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey Stucker can be reached on 571-272-9821. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from



the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

A handwritten signature in black ink, appearing to read 'Rashedul Hassan', with a long horizontal line extending from the end of the signature.

(Rashedul Hassan)

A handwritten signature in black ink, appearing to read 'Jeffrey Stucker', with a stylized, looped design.

JEFFREY STUCKER  
SUPERVISORY PATENT EXAMINER